



13281 U.S.PTO  
012904

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VIRGINIA 22042-1248  
U.S.A.

OTHER OFFICES:  
CARLSBAD, CALIFORNIA  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

(703) 205-8000  
FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

22553 U.S.PTO  
10/765963  
012904

Date: January 29, 2004

Docket No.: 2091-0309P

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Kazuo SHIOTA; and Kiyotaka KANEKO

For: APPARATUS AND PROGRAM FOR SELECTING PHOTOGRAPHIC IMAGES

Enclosed are:

- A specification consisting of thirty-six (36) pages
- Three (3) sheet(s) of formal drawings
- Applicant claims small entity status under 37 C.F.R. § 1.27
- Applicant does not claim priority
- Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 2003-023901 filed in Japan on January 31, 2003.
  - Certified copy(ies) is(are) attached hereto.
  - Certified copy(ies) will follow.



012904  
13281 U.S.PTO

Docket No. 2091-0309P

- Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- Application Data Sheet in accordance with 37 C.F.R. § 1.76
- Preliminary Amendment
- Information Disclosure Statement, PTO-1449 and reference(s)
- Other: \_\_\_\_\_
- Applicant requests early publication - \$300.00 publication fee
- Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

		LARGE ENTITY	SMALL ENTITY
BASIC FEE		\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE
<b>TOTAL CLAIMS</b>	18-20=		x 18 = \$0.00
<b>INDEPENDENT CLAIMS</b>	3-3=		x 86 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			x43= \$0.00
	<b>TOTAL</b>	<b>\$770.00</b>	<b>\$0.00</b>

- The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- A check in the amount of \$770.00 to cover the filing fee is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP **or** Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Marc S. Weiner (P.O. Box 747, Falls Church, VA 22040-0747)  
Marc S. Weiner, #32,181

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

MSW/clb  
2091-0309P

Attachment(s)

(Rev. 11/30/03)